

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6-27-03.

## I. DISPUTE

Whether there should be reimbursement for CPT code E0748 (Bone growth stimulator non-invasive) and 20974 (Electrical stimulation to aid bone healing, noninvasive -nonoperative).

## II. FINDINGS

The respondent denied reimbursement based upon “A - Preauthorization not obtained; and N – In order to review this charge we will need a copy of the invoice, and This charge is being disallowed as additional/supporting documentation is required to clarify service/supply rendered.”

The insurance carrier’s representative, Concentra, gave preauthorization for a bone growth stimulator (E1399) on 9-18-02; and on 7-31-02 and 8-21-02 for procedure codes 63075, 22554 and 22820. Therefore, the insurance carrier is in violation of Rule 133.301(a) by retrospectively denying reimbursement for bone growth stimulator.

Section 413.011(b) of the Act states, “Guidelines for medical services must be fair and reasonable and designed to ensure the quality of medical care and to achieve effective medical cost control. The guidelines may not provide for payment of a fee in excess of the fee charged for similar treatment of an injured individual of an equivalent standard of living and paid by that individual or by someone acting on that individual’s behalf. The commission shall consider the increased security of payment afforded by this subtitle in establishing the fee guidelines.”

## III. RATIONALE

DOS	CPT CODE	Billed	Paid	EOB Denial Code	MARS (Maximum Allowable Reimbursement)	Reference	Rationale
11-6-02	E0748	\$4900.00	\$0.00	A, N	DOP	Section 413.011(b) General Instructions GR (III) Rule 133.307(g)(3)(B) Rule 134.600	As stated above, preauthorization was obtained for the bone growth stimulator.  The requestor did not support amount billed complied with Section 413.011(b) and General Instructions GR (III).  The requestor failed to submit medical records to support fee dispute in accordance with Rule 133.307(g)(3)(B); therefore, reimbursement is not due.
11-6-02	20974	\$1000.00	\$0.00	A, N	\$303.00	Rule 133.307(g)(3)(B)	The requestor failed to submit medical records to support fee dispute in accordance with Rule 133.307(g)(3)(B); therefore, reimbursement is not due.

#### **IV. DECISION**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for CPT codes (E0748 and 20974).

The above Findings and Decision are hereby issued this 18th day of March 2004.

Elizabeth Pickle  
Medical Dispute Resolution Officer  
Medical Review Division